

IN THE DRAWINGS

Applicants respectfully request permission to amend the drawings as indicated on the copy of the drawings attached hereto. Specifically, Applicant requests the following changes to the figures:

In Fig. 9, change "PROCERSS" to --PROCESS--, and at S43, change "THUBNAIL" to --THUMBNAIL--.

Attachment: Replacement Sheet

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claim 14 is cancelled. Claims 1-13 and 15-17 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

The specification has been amended to better conform to the requirements of U.S. practice. No new matter has been added by these amendments.

In the Office Action, the drawings were objected to. A replacement drawing sheet is submitted with the present Amendment in which Fig. 9 is amended to correct the informalities.

The Title of the Invention was objected to because of informalities. The Title has been amended to correct same.

Turning now to the art rejections, claims 1, 3, 5, 8, 10, 13, 15, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki (U.S. Patent No. 5,724,579) in view of Tomat (U.S. Patent No. 6,784,925). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

As amended herein, claim 1 recites:

supplying means for supplying the representative image data and the image data to the image processing apparatus, the representative image data being supplied preferentially with respect to the image data so that upon the generating means generating new representative image data representing new image data generated from a newly picked up image, the supplying means interrupts the supplying of the image data to the image processing apparatus, supplies the new representative image data to the image processing apparatus, and then resumes the supplying of the image data to the image processing apparatus after completing the supplying of the new representative image data[.]

(Emphasis added.) Neither the relied on sections of Suzuki nor the relied on sections of Tomat disclose or suggest

representative image data being supplied preferentially with respect to image data so that upon the generating of new representative image data representing new image data generated from a newly picked up image, the supplying of the image data to another apparatus is interrupted, the new representative image data is supplied to that apparatus, and then the supplying of the image data to that apparatus is resumed after completing the supplying of the new representative image data.

Though the relied on sections of Suzuki describe transmitting only subordinate image data and then transmitting main image data (see S201 and S202 of Fig.36, col.19 ll.64-67, and col.20 ll.6-8), such relied on sections are not at all concerned with the subordinate image data being supplied preferentially with respect to the main image data so that upon the generation of new subordinate image data, the transmitting of the main image data is interrupted, the new subordinate image data is transmitted, and then the transmitting of the main image data is resumed after completing the transmitting of the new subordinate image data. Hence, the relied on sections of Suzuki neither disclose nor suggest the feature set out in the above excerpt of claim 1.

The relied-on sections of Tomat do not address the deficiencies of the relied-on sections of Suzuki.

It follows, for at least these reasons, that neither the relied on sections of Suzuki nor the relied on sections of Tomat, whether taken alone or in combination, disclose or suggest the system set out in claim 1. Claim 1 is therefore patentably distinct and unobvious over the relied on references.

Independent claims 3, 5, 8, 13, 15, and 17 have each been amended to recite features similar to those set out in the above excerpt of claim 1. Claims 3, 5, 8, 13, 15, and 17 are therefore each patentably distinct and unobvious over the relied on sections of Suzuki and Tomat for at least the same reasons.

Claim 10 depends from claim 8. Therefore, the claim is distinguishable over the relied on art for at least the same reasons as the claim from which it depends.

Claims 2 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Tomat and further in view of Tanaka (U.S. Patent No. 6,957,040). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Independent claims 2 and 16 have each been amended to recite features similar to those set out in the above excerpt of claim 1 and each is therefore distinguishable over the relied-on sections of Suzuki for at least the same reasons.

Neither the relied-on sections of Tomat nor the relied-on sections of Tanaka cure the deficiencies of the relied-on sections of Suzuki.

Claims 4, 6, 9 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Tomat and further in view of Clemens (U.S. Patent No. 6,833,863). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Claims 4 and 6 depend from claim 3, and claims 9 and 11 depend from claim 8. Therefore, each of the claims is distinguishable over the relied-on sections of Suzuki and Tomat for at least the same reasons.

The relied-on sections of Clemens do not overcome the deficiencies of the relied-on sections of Suzuki and Tomat.

Claims 7 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki and Tomat in view of Clemens and further in view of Peters (U.S. Patent Application Publication No. 2003/0226023). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Claim 7 depends from claim 3, and claim 12 depends from claim 8. Therefore, each of the claims is distinguishable over the relied-on sections of Suzuki and Tomat for at least the same reasons.

Neither the relied-on sections of Clemens nor the relied-on sections of Peters remedy the deficiencies of the relied-on sections of Suzuki and Tomat.


Accordingly, Applicants respectfully request the withdrawal of the Examiner's objections and the withdrawal of the rejections under 35 U.S.C. § 103(a).

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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